

14202  
U  
07/08/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on July 30, 2003 in an envelope as "Express Mail Post Office to Addressee" served under 37 CFR §1.10, Mailing Label Number EV332828508US, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Ryan Eachus

Attorney Docket No.: DIDLP001C3

First Named Inventor: Livio Ricciulli

**UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR. § 1.53(b))**  
(Continuation, Divisional or Continuation-in-part application)

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir: This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:  
**Livio Ricciulli**

For: **ON-DEMAND OVERLAY ROUTING FOR COMPUTER-BASED COMMUNICATIONS**

Assigned to : Digital Island, Inc.

This application is a  Continuation       Divisional       Continuation-in-part

of prior Application No.: 09/916,628 filed on July 27, 2001 which claims priority from 09/886,966 filed June 25, 2001, now U.S. Patent No. 6,473,405, issued October 29, 2002 which claims priority from 09/336,487, filed June 18, 1999, now U.S. Patent No. 6,275,470, issued August 14, 2001, from which priority under 35 U.S.C. §120 is claimed.

Application Elements:

27 Pages of Specification, Claims and Abstract

5 Sheets of formal Drawings

Declaration

Newly executed

Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional).  
The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

Deletion of inventors Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

Accompanying Application Parts:

- Do not publish this application. Nonpublication Request is attached.
- Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)
- Power of Attorney
- 37 CFR 3.73(b) Statement by Assignee
- Information Disclosure Statement with Form PTO-1449       Copies of IDS Citations
- Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)
- Return Receipt Postcard
- Other: Petition to Make Special

Claim For Foreign Priority

- Priority of      Application No.      filed on  
is claimed under 35 U.S.C. § 119.
- The certified copy has been filed in prior application U.S. Application No. \_\_\_\_\_
- The certified copy will follow.

Extension of Time for Prior Pending Application

- A Petition for Extension of Time is being concurrently filed in the prior pending application. A copy of the Petition for Extension of Time is attached.

Amendments

- Amend the specification by inserting before the first line the sentence: "This is a  
 Continuation       Continuation-in-part       Divisional  
application of co-pending prior  
       International Application      filed on      which  
designated the United States,  
the disclosure of which is incorporated herein by reference."
- Cancel in this application original claims      of the prior application  
before calculating the filing fee. (*At least one original independent claim must be retained.*)

Fee Calculation (37 CFR § 1.16)

Applicant is entitled to Small Entity Status under 37 C.F.R. §1.27.

	(Col. 1) Total Claims		(Col. 2) Claims	(Col. 3) Present Extra	Rate	Additional Fee
TOTAL	22	MINUS	20	= 2	x 18 =	36.00
INDEP.	5	MINUS	3	= 2	x 84 =	168.00
	[ ] First presentation of multiple dependent claim			\$280 =		
			Basic Filing Fee under 37 C.F.R. §1.16(a)	\$750 =		750.00
					TOTAL	954.00
			SMALL ENTITY 50% FILING FEE REDUCTION (if applicable)			

Check No. 7699 in the amount of \$994.00 is enclosed.

The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 500388 (Order No. DILDP001C3).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

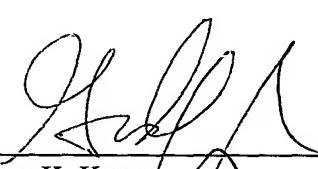
Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 500388 (Order No. DILDP001C3).

Please send correspondence to the following address:

Customer Number 022434

022434

Date: July 30, 2003

  
Godfrey K. Kwan  
Registration No. 46,850